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Attorneys for Defendants
LIFE INSURANCE COMPANY OF NORTH AMERICA
and CORT FURNITURE RENTAL LONG TERM DISABILITY PLAN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAIME GARCIA,

Plaintiff,

v.

LIFE INSURANCE COMPANY OF NORTH
AMERICA, CORT FURNITURE RENTAL
LONG TERM DISABILITY PLAN AND
DOES 1 - 10,

Defendants.

Case No. C 05-00157 FMS

**MOTION AND [PROPOSED] ORDER
TO EXTEND TIME FOR PARTIES TO
ENGAGE IN ALTERNATIVE DISPUTE
RESOLUTION**

Pursuant to Local Rule 6-5, Plaintiff Jaime Garcia ("Plaintiff") and Defendants Life Insurance Company of North America ("LINA") and Cort Furniture Rental Long Term Disability Plan hereby stipulate and request that the Court extend the deadline for the parties to complete mediation from November 30, 2005 to January 11, 2006. The parties have scheduled a January 11, 2006 mediation with the ADR Program's assigned mediator, R. Bradford Huss, Esq.


Good cause exists to extend this deadline. The LINA representative for the western United States has no further availability during the months of November and December 2005,

1 due to previously scheduled mediations. Moreover, the parties are actively engaged in informal
2 settlement discussions and are optimistic that they can resolve this litigation without formal
3 mediation. The requested extension of time will allow the parties sufficient time to settle their
4 dispute informally, without expending additional resources preparing for mediation.

5 Extending the mediation deadline will not affect the schedule of the case.

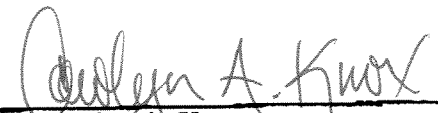
6 DATED: November 9, 2005

LAW OFFICES OF GUSTAVO PEÑA

7
8 By 
9 Gustavo Peña
10 Attorney for Plaintiff
11 JAIME GARCIA

12 DATED: November 10, 2005

SEYFARTH SHAW LLP

13 By 
14 Carolyn A. Knox
15 Robin M. Cleary
16 Attorneys for Defendants
17 LIFE INSURANCE COMPANY OF
18 NORTH AMERICA and CORT
19 FURNITURE RENTAL LONG TERM
20 DISABILITY PLAN

21
22 IT IS SO ORDERED that the deadline for mediation of this matter is extended to
23 January 11, 2006.

24 DATED: _____

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